



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES

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PAUL J. HIBBARD
CHAIRMAN

W. ROBERT KEATING
COMMISSIONER

TIM WOOLF
COMMISSIONER

September 3, 2008

Re: Sections 60, 98 and 103 of Chapter 169 of the Acts of 2008 – Competitive Supply
Information and Distribution Company Payments to Competitive Suppliers

Dear Electric Distribution Company:

On July 2, 2008, Chapter 169 of the Acts of 2008 (“Green Communities Act” or “Act”) was signed into law. Section 60 of the Act amends G. L. c. 164, § 1D, and provides for three programs relating to competitive suppliers. These programs are to be reviewed and approved by the Department of Public Utilities (“Department”).

First, amended G.L. c. 164, § 1D requires electric distribution companies to offer residential or small commercial customers an opportunity to learn about electric competitive options at the time a customer contacts the company to initiate new service, change service, or inquire about rates or energy efficiency. Electric distribution companies are required to describe the competitive options available through a method approved by the Department. Second, amended G.L. c. 164, § 1D allows non-utility competitive suppliers of energy to list qualifying electric offers in each customer’s utility bill. The Department will determine the manner such information is presented in customers’ utility bills.

Pursuant to Section 98 of the Act, the Department will establish terms and conditions under which a participating non-utility competitive supplier may be included in the programs above. The Department will establish a process to review utility plans for these programs at a later date.

Third, the last paragraph of G. L. c. 164, § 1D as amended by Section 60 of the Act, requires electric distribution companies to pay competitive suppliers, that have chosen the complete billing method, the full amounts due from customers for generation services “in a time period consistent with the average payment period of the participating class of customer,

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less a percentage of such amounts that reflects the average of the uncollectible bills for the participating classes.....and other reasonable development, operating or carrying costs incurred, as approved by the [D]epartment.” Section 103 of the Act requires each electric distribution company to file a compliance plan regarding this provision with the Department, within three months of the effective date of the Act.

Pursuant to Section 103 of the Act, the Department directs each electric distribution company to file its plan indicating compliance with the last paragraph of Section 1D. Plans should be filed no later than the close of business (5:00 p.m.) on **Thursday, October 2, 2008**. The Department will approve or modify such plans after there has been an opportunity for notice and comment by all interested persons.

One (1) original and three (3) copies of all plans or responses should be addressed to Mary L. Cottrell, Secretary, Department of Public Utilities, One South Station - 2nd Floor, Boston, Massachusetts 02110 by the dates and times referenced above. All written materials should also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to dpu.efiling@state.ma.us and joan.evans@state.ma.us; or (2) on a 3.5" disk or CD-ROM. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. Text should be created in either Corel WordPerfect, Microsoft Word, or Adobe Acrobat. Data or spreadsheets should be compatible with Microsoft Excel. All documents submitted in electronic format will be posted on the Department's website: <http://www.mass.gov/dpu>.

If you have any questions, please contact Joan Foster Evans, Hearing Officer, Department of Public Utilities, at Joan.Evans@state.ma.us or (617) 305-3613.

By Order of the Department,

_____/s/_____
Paul J. Hibbard, Chairman

_____/s/_____
W. Robert Keating, Commissioner

_____/s/_____
Tim Woolf, Commissioner

Attachments: Service list

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Service List

Fitchburg Gas and Electric Company d/b/a Unitil
Gary Epler, Esq.
Unitil Service Corporation
6 Liberty Lane West
Hampton, NH 03842

Massachusetts Electric Company and Nantucket Electric Company d/b/a National Grid
Amy Rabinowitz, Esq.
National Grid USA Service Company
25 Research Drive
Westborough, MA 01582-0099

NSTAR Electric Company
Robert Keegan, Esq.
Robert Werlin, Esq.
Keegan Werlin LLP
265 Franklin Street, 6th Floor
Boston, MA 02110-3113

Western Massachusetts Electric Company
Steve Klionsky, Esq.
Northeast Utilities Service Company
100 Summer Street, 23 Floor
Boston, MA 02110-2131

Attorney General of the Commonwealth
Jed Nosal, Chief
Division of Telecommunications and Energy
One Ashburton Place
Boston, MA 02108-1598

Department of Energy Resources
Robert Sydney, General Counsel
100 Cambridge Street, Suite 1020
Boston, MA 02114

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Robert J. Munnely, Esq.
Murtha Cullina LLP
99 High Street, 20th Floor
Boston, MA 02110
FOR: Retail Energy Supply Association

Service list from D.P.U. 01-28